

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
September 22, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:01 a.m.

Opening Ceremony: Doug Emery

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia Shananaquet Treasurer Marcella Reyes, Councilor Bill A. Denemy, Councilor Beatrice A. Law, Councilor Michael Naganashe

Absent: Councilor John Keshick, Councilor Aaron Otto, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Fred Kiogima, Vice-Chair Debbie DeLeon

Public: Rose Smalley, Annette VanDeCar, Doug Emery, Sandi Wemigwase, Andrew Stich, Bill I. Denemy, Stacey Ettawageshik

Invited Guests: none

Motion made by Councilor Law and supported by Treasurer Reyes to adopt the agenda for September 22, 2013 as amended.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Keshick, Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Law to approve the minutes of September 8, 2013 as corrected.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Keshick, Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve the Special meeting Minutes of September 20, 2013 as corrected.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Keshick, Councilor Otto, Councilor Wemigwase)
Motion carried.

Elder Comments:

Rose Smalley: 1. Have a Gaming Authority Board qualified in business and gaming, a separate entity outside of politics. 2. Keep Tribal Council meetings on Sundays so more can attend. 3. If Tribal Council develops a casino in Mackinaw, keep it small so the Tribe does not go into debt. Written comment provided.

Doug Emery: 1. The Michelle Chingwa Education Assistance Act levels as inadequate and the distribution of it. 2. The 6-month mandatory stay in a new Tribal government position rather than being able to apply for another that may be better suited for the level of education of the individual. 3. Asked if Tribal Council could look to see if an amendment to Michelle Chingwa Education Assistance Act could be developed. 4. Marriage statute-should have been done on a referendum vote not just by 5-people therefore asks Tribal Council to repeal it and put out it out to the vote of the citizens. Written comment provided.

Motion made by Councilor Law and supported by Secretary Shananaquet to acknowledge receipt of the August 2013 Executive Oversight Report to Tribal Council.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Keshick, Councilor Otto, Councilor Wemigwase)

9:43 a.m. Recess called.

9:51 a.m. Meeting reconvened.

10:11 a.m. Councilor Keshick arrived.

Motion made by Secretary Shananaquet and supported by Councilor Law to acknowledge receipt of the Executive nominations for the Election Board, Jon Shawa, Alice Hughes, and Carol Quinones for a 3-year term expiring 2016, and to set up interviews for candidates.

Vote: 5 - Yes, 1 - No (Councilor Keshick), 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to appoint Executives nomination for the following Executive Committee, Commission and Boards: Citizen Commission - Alice Hughes and Marcia Sutton for a 3-year term expiring 2016. Housing - Judith Pierzynowski to a 4-year term expiring 2017, Arlene Naganashe to fill the remainder of a 4-year term expiring 2015, and Larry Stead to the remainder of a 4-year term expiring 2015. Child Welfare Commission - Joan Jacobs to a 3-year term expiring 2016, Steve Sochay to a 3-year term expiring 2016, and Heidi Bosma to fill the remainder of a 3-year term expiring 2015. Natural Resources - Jannan Cornstalk to a 4-year term expiring

2017, Renee' Dillard to a 4-year term ending 2017 and Daugherty Johnson to a 4-year term ending 2017. Trust Fund Board – Kevin Willis to fill the remainder of the term expiring 2015, Margaret Gasco to fill the remainder of the 4-year term expiring 2015 and Carol Jeffers to a 4-year term expiring 2017.

Vote: 5 - Yes, 0 - No, 2 - Abstained (Councilor Naganashe, Legislative Leader Gasco Bentley), 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Denemy and supported by Treasurer Reyes to accept the Legislative Leader Gasco Bentley verbal report for September 22, 2013.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

11:18 a.m. Recess called.

11:29 a.m. Meeting reconvened.

Motion made by Councilor Keshick and supported by Councilor Naganashe to accept Secretary Shananaquet verbal report with written attachment of her activity. She made mention of the Land and Reservation Committee amendment and Chairman Kiogima's Executive memo for September 22, 2013.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

11:55 a.m. Public Comment opened:

Annette VanDeCar: 1. The government employee handbook states the government employees are to be paid weekly and as there are currently more employees already in accounting, the accounting department should be able to handle that. 2. Asked Tribal Council to write legislation to separate Environmental Services and Natural Resource Department as it is causing a reduction of services to Citizens. 2. Dividing and or combining departments and programs causing reduction in pay. Written comment provided.

Andrew Stich 1. Asked how much money has been spent on the Mackinaw project. 2. Asked which branch of government would govern the Gaming Authority Board Draft Statute.

Sandi Wemigwase spoke regarding the "Domestic Violence Awareness Day" Resolution that is currently being considered.

Stacy Ettawageshik spoke in support of Sandi Wemigwase and mention the "Illuminate the Night" Event.

12:12 p.m. Public comment closed.

12:12 p.m. Lunch recess called.

1:34 p.m. Meeting Reconvened

Motion made by Councilor Law and supported by Councilor Keshick to accept Treasurer Reyes verbal report for September 22, 2013.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Treasurer Reyes to accept Treasurer Reyes, Councilor Naganashe, Legislative Leader Gasco Bentley and Secretary Shananaquet written travel report to the National Indian Health Board Conference.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to adopt Tribal Resolution: Designating the second Monday of October as Native American Domestic Violence Awareness Day.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion Carried.

Motion made by Councilor Keshick and supported by Councilor Law to acknowledge receipt of the Gaming Authority Committee report including the Odawa Casino Resort financial report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to appoint Regina Gasco Bentley to the Gaming Authority Committee.

Vote: 5 - Yes, 1 - No (Councilor Law), 1 - Abstained (Legislative Leader Gasco Bentley), 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to accept the Land and Reservation Committee verbal report as presented by Committee member Gasco Bentley.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Treasurer Reyes to accept the Legal and Legislative Committee verbal report from Committee Chair Gasco Bentley.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

3:00 p.m. Public Comment opened:

Annette VanDeCar: Tribal Council needs to leave work sessions and meetings on weekends.

3:02 p.m. Public comment closed.

3:02 p.m. Recess called.

3:12 p.m. Meeting reconvened.

Motion made by Councilor Law and supported by Councilor Naganashe to accept the Agricultural Work Group Assessment Report as presented Councilor Keshick

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Denemy and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick verbal report for September 22, 2013.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Law to accept Legislative Office Manager LaCount's verbal and written report for September 22, 2013.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to approve Certified Motion: Funding from the Great Lakes Energy People Fund Little Traverse Bay Bands of Odawa Indians Natural Resources Department Energy Efficiency and Renewable Energy Assessment.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion: Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs Fire Management Funds Little Traverse Bay Bands of Odawa Indians Natural Resources Department Fuel Reduction Funds Project.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to acknowledge receipt of the Legal Department FY2015 Draft Budgets.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Naganashe to adopt Tribal Resolution: Authorization of Odawa Casino Resort Business Banking Account and Treasury Management Documents and Limited Waiver of Sovereign Immunity and Related Matters.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco Bentley-yes, Secretary Shananaquet-yes,

Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Denemy to adopt Tribal Resolution: Authorization of Government Banking Accounts and Treasury Management Documents, Limited Waiver of Sovereign Immunity and Related Matters.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Reyes-yes, Legislative Leader Gasco Bentley-yes, Secretary Shananaquet-yes,

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Law to adopt Tribal Resolution: Funding request for Odawa Fishery Inc. (OFI) in the amount of \$150,000.00 to come from prior period funds.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-yes, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Reyes-yes, Legislative Leader Gasco Bentley-no, Secretary Shananaquet-no

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to adopt Tribal Resolution: Appropriation for additional funding for Accounting Department in the amount \$275,000 to come from prior period funds.

Roll call vote: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes, Councilor Naganashe-no, Councilor Otto-absent, Councilor Wemigwase-absent, Treasurer Reyes-yes, Legislative Leader Gasco Bentley-yes, Secretary Shananaquet-yes

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to add to the Legislative Calendar Waganakising Odawak Statute Amendment to Waganakising Odawak Statute # 2012-009 Department of Human Services.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Law to approve Certified Motion: Request for Funding as a Sub-grantee of Michigan Consumers for Health U.S. Department of Health and Human Services Navigator Program Grant Little Traverse Bay Bands of Odawa Indians Regional Lead Navigator.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Keshick to approve Enrollment List C – Voluntary Relinquishment dated September 13, 2013 for a total of 03.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion: National Congress of American Indians Representative for Little Traverse Bay Bands of Odawa Indians.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to amend the agenda to add the posting of Statutes and Comment Policy.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to post to the Legislative Calendar the Executive Oversight Report and Directives

and Mandates for Requested Information Statute, Amendment to the Tribal Treasurer Responsibilities Statute, Day Care Tribally Chartered Corporation Statute and the Amendment to the Land and Reservation Statute.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve the Citizen's Only Portal Comment Policy as presented by the Executive.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

5:00 p.m. Motion made by Councilor Keshick and supported by Councilor Law to go into closed session for personnel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

5:18 p.m. Motion made by Councilor Law and supported by Councilor Denemy to return to open session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

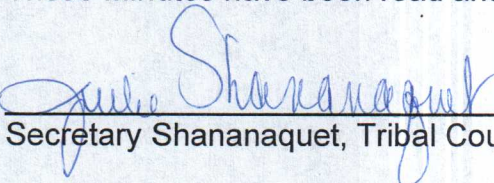
5:31 p.m. Motion made by Treasurer Reyes and supported by Councilor Denemy to adjourn.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Otto, Councilor Wemigwase)

Motion carried.

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as corrected:


Secretary Shananaquet, Tribal Council Secretary

10-6-13
Date